

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

WILLIAM WENTWORTH FOSTER,)
)
Plaintiff,)
)
v.) No. 1:12-CV-00116-JAR
)
GEORGE LOMBARDI, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Renewed Motion for Appointment of Counsel and Medical Expert. [ECF No. 48] For the following reasons, Plaintiff's motion will be denied.

Plaintiff previously requested appointment of counsel (Doc. No. 4) and the Court denied his request, finding that neither the factual nor legal issues are complex, and that Plaintiff is able to articulate and clearly present his position. (Doc. No. 23) For these reasons, the Court again finds appointment of counsel is not mandated. Plaintiff filed a twenty-three (23) page complaint (Doc. No. 1), followed by a forty-six (46) page amended complaint (Doc. No. 7), in which he sets forth all of his claims. Upon review, the Court finds Plaintiff has a thorough understanding of his medical condition as well as the prison grievance procedure, and is clearly able to articulate his claims against Defendants and underlying legal theories. Thus, Plaintiff's motion for appointment of counsel will be denied without prejudice.

Further, because Plaintiff's own medical records will establish his diagnosis and history of treatment by Defendants, his request for appointment of a medical expert will also be denied.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Renewed Motion for Appointment of Counsel and Medical Expert [48] is **DENIED**.

Dated this 24th day of July, 2013.



John A. Ross
JOHN A. ROSS
UNITED STATES DISTRICT JUDGE